

GRAYS HARBOR COLLEGE
Operational Policy

Subject: Title IX - SEXUAL HARASSMENT AND NON-DISCRIMINATION

Operational Policy Number 406 Date
Adopted: 6/18/13, 8/13/20

The college provides equal opportunity in education and employment and does not discriminate on the basis of race, color, national origin, age, disability, sex, sexual orientation, marital status, creed, religion, or status as a veteran of war as required by Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, RCW 49.60.030 and their implementing regulations. Prohibited gender based discrimination includes sexual harassment.

Harassment is defined, for the purpose of this policy, as unwelcome and unauthorized patterns of conduct, based on a person's or persons' race, color, religious belief, sex, marital status, sexual orientation, gender identity or expression, national or ethnic origin, disability, veteran status or age, and which

- a) the harasser either knows, or should know, will have the effect of making the college environment hostile, intimidating, or demeaning to the victim, and
- b) in fact is sufficiently, severe, persistent or pervasive enough to substantially deny or limit a person's ability to benefit from or fully participate in educational programs or activities or employment opportunities.

"Sexual Harassment" encompasses the following conduct, for the purposes of this policy:

- (1) **Quid Pro Quo Harassment.** A Grays Harbor College employee conditioning the provision of an aid, benefit, or service of Grays Harbor College on an individual's participation in unwelcome sexual conduct.
- (2) **Hostile Environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Grays Harbor College's educational programs or activities, or employment.
- (3) **Sexual Assault.** Sexual assault includes the following conduct:
 - (a) **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
 - (b) **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

- (c) Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18).
- (d) Statutory Rape. Consensual sexual intercourse between someone who is eighteen (18) years of age or older and someone who is under the age of sixteen (16).
- (4) Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.
- (5) Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship;
 - (b) The type of relationship; and
 - (c) The frequency of interaction between the persons involved in the relationship.
- (6) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.